

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

7 TRAVIS REMAUL DEAN,
8 Plaintiff,
9 v.
10 STATE OF NEVADA et al.,
11 Defendants.
12

3:16-cv-00753-MMD-WGC

ORDER

I. DISCUSSION

14 Plaintiff, who is a prisoner in the custody of the Nevada Department of Corrections
15 ("NDOC"), has submitted a financial certificate and a civil rights complaint pursuant to
16 42 U.S.C. § 1983. (ECF No. 1-1, 1-2, 1-3, 1-4, 1-5). Plaintiff has neither paid the full filing fee
17 for this matter nor filed an application to proceed *in forma pauperis*.

Pursuant to 28 U.S.C. § 1915(a)(2) and Local Rule LSR 1-2, Plaintiff must complete an application to proceed *in forma pauperis* and attach both an inmate account statement for the past six months and a properly executed financial certificate. The Court will retain Plaintiff's civil rights complaint (ECF No. 1-1, 1-2, 1-3, 1-4), but will not file it until the matter of the payment of the filing fee is resolved. Plaintiff will be granted an opportunity to file an application to proceed *in forma pauperis*, or in the alternative, pay the full filing fee for this action. If Plaintiff chooses to file an application to proceed *in forma pauperis* he must file a fully complete application to proceed *in forma pauperis*.

II. CONCLUSION

27 For the foregoing reasons, IT IS ORDERED that the Clerk of the Court SHALL SEND
28 Plaintiff the approved form application to proceed *in forma pauperis* by a prisoner, as well as
the document entitled information and instructions for filing an *in forma pauperis* application.

1 IT IS FURTHER ORDERED that within **thirty (30) days** from the date of this order,
2 Plaintiff shall either: (1) file a fully complete application to proceed *in forma pauperis*, on the
3 correct form with complete financial attachments in compliance with 28 U.S.C. § 1915(a); or
4 (2) pay the full \$400 fee for filing a civil action (which includes the \$350 filing fee and the \$50
5 administrative fee).

6 IT IS FURTHER ORDERED that if Plaintiff does not timely comply with this order,
7 dismissal of this action may result.

8 IT IS FURTHER ORDERED that the Clerk of the Court shall retain the complaint
9 (ECF No. 1-1, 1-2, 1-3, 1-4), but shall not file it at this time.

10 DATED: December 27, 2016.
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United States Magistrate Judge

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